



PATENT--FEE

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant:) I hereby certify that this paper is
David A. Goldman) being deposited with the United
Serial No.: 10/806,880) States Postal Service as first-class
Filed: March 23, 2004) mail, postage prepaid, in an
For: "Automatically Generating) envelope addressed to: Mail Stop
Embroidery Designs from a Scanned) Petition, Commissioner for Patents,
Image") P.O. Box 1450, Alexandria, VA
Group Art Unit: 3765) 22313-1450, on this date:
Examiner: Peter P. Nerbun)
) **June 28, 2005**
) 
) **Mark G. Hanley**
) Registration No. 44,736
) Attorney for Applicant

Mark G. Hanley
Registration No. 44,736
Attorney for Applicant

PETITION FOR WITHDRAWAL OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions that the abandonment of the above-referenced patent application be withdrawn. By way of explanation, the undersigned's firm received a notice of abandonment on June 13, 2005, indicating that a response to an Office action allegedly mailed on November 17, 2005, was not filed. However, the Office action allegedly mailed on November 17, 2005, was never received by the applicant nor their counsel.

The following papers are submitted herewith in support of this petition:

- (a) A statement of Mark G. Hanley, counsel for applicant indicating that he never received the Office action; and

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65.00 DA

65.00 OP

- (b) A copy of the docket record where the non-received Office action would have been docketed had it been received.

The petition fee (37 C.F.R. 1.17(h)) is paid via a check in the sum of \$130.00. If any additional fees are due, please charge them to deposit account no. 50-2455. A duplicate of this paper is attached.

As this petition was not necessitated by any action or error of the applicant or its counsel, a refund of the petition fee submitted herewith is respectfully requested.

Please credit the refund to deposit account no. 50-2455.

Withdrawal of abandonment, and acknowledgment of the active status of this application and issuance of a new Office action re-starting the period for response is respectfully requested.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC.
Suite 4220
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(312) 580-1020

By:


Mark G. Hanley
Registration No. 44,736
Attorneys for Applicant

June 28, 2005

The PTO did ~~not~~ receive the following
listed item(s) Check #165.a)